

Senate Amendment to  
House File 2494

H-8455

1 Amend House File 2494, as amended, passed, and reprinted by  
2 the House, as follows:

3 1. Page 6, after line 25 by inserting:

4 <DIVISION \_\_\_\_

5 SPECIAL MINOR'S LICENSES

6 Sec. \_\_\_\_ . Section 321.194, subsection 1, Code 2018, is  
7 amended to read as follows:

8 1. *Persons eligible.* ~~Upon certification of a special need~~  
9 ~~by the school board, superintendent of the applicant's school,~~  
10 ~~or principal, if authorized by the superintendent, the~~ The  
11 department may issue a class C or M driver's license to a  
12 person between the ages of fourteen and eighteen years if all  
13 of the following apply:

14 a. The person's driving privileges have not been suspended,  
15 revoked, or barred under this chapter or chapter 321J during,  
16 and the person has not been convicted of a moving traffic  
17 violation or involved in a motor vehicle accident for, the  
18 six-month period immediately preceding the application for the  
19 special minor's license.

20 b. The person has successfully completed an approved driver  
21 education course. However, the completion of a course is not  
22 required if the applicant demonstrates to the satisfaction  
23 of the department that completion of the course would impose  
24 a hardship upon the applicant. The department shall adopt  
25 rules defining the term "*hardship*" and establish procedures for  
26 the demonstration and determination of when completion of the  
27 course would impose a hardship upon an applicant.

28 c. The person's school has certified to the department  
29 that the person has a special need for the license pursuant to  
30 subsection 3.

31 Sec. \_\_\_\_ . Section 321.194, subsection 2, paragraph a, Code  
32 2018, is amended to read as follows:

33 a. *Permitted operations.* The driver's license entitles  
34 the ~~holder~~ licensee, while having the license in immediate  
35 possession, to operate a motor vehicle, other than a commercial

1 motor vehicle or as a chauffeur+, during the times and for the  
2 purposes set forth in this paragraph.

3 (1) If the licensee attends a public school, the licensee  
4 may operate a motor vehicle during the hours of 5:00 a.m. to  
5 10:00 p.m. as follows:

6 (a) ~~During the hours of 5:00 a.m. to 10:00 p.m. over~~ Over  
7 the most direct and accessible route between the licensee's  
8 residence and schools of enrollment or the closest school bus  
9 stop or public transportation service, and between schools of  
10 enrollment, for the purpose of attending duly scheduled courses  
11 of instruction and extracurricular activities within the school  
12 district of enrollment.

13 (2) (b) ~~During the hours of 5:00 a.m. to 10:00 p.m.~~  
14 ~~over~~ Over the most direct and accessible route between the  
15 licensee's residence or school of enrollment and a site,  
16 facility, or school that is not the licensee's school of  
17 enrollment, for the purpose of participating in extracurricular  
18 activities conducted under a sharing agreement with the  
19 licensee's school of enrollment or conducted at a site, or  
20 facility, or school designated by the licensee's school  
21 district for the accommodation of the school's extracurricular  
22 activities, provided the site, facility, or school is within  
23 the licensee's school district of enrollment or is within a  
24 school district contiguous to the licensee's school district  
25 of enrollment.

26 (2) If the licensee attends an accredited nonpublic school,  
27 the licensee may operate a motor vehicle during the hours of  
28 5:00 a.m. to 10:00 p.m. as follows:

29 (a) Over the most direct and accessible route between  
30 the licensee's residence and schools of enrollment or the  
31 closest school bus stop or public transportation service, and  
32 between schools of enrollment, for the purpose of attending  
33 duly scheduled courses of instruction and extracurricular  
34 activities, provided the driving distance between the point of  
35 origin and the destination is no more than twenty-five miles.



1 representative of the authorities.

2 b. Upon receipt of a statement of necessity, the department  
3 shall issue the driver's license provided the applicant is  
4 otherwise eligible for issuance of the license. The fact that  
5 the applicant resides at a distance less than one mile from the  
6 applicant's school of enrollment is prima facie evidence of the  
7 nonexistence of necessity for the issuance of a license.

8 c. The school board shall develop and adopt a policy  
9 establishing the criteria that the school shall be used  
10 by a school district administrator use to approve or deny  
11 certification that a need exists for a license. If the school  
12 is a public school, the policy shall be developed and adopted  
13 by the school board. If the school is an accredited nonpublic  
14 school, the policy shall be developed and adopted according  
15 to procedures determined by the authorities in charge of the  
16 accredited nonpublic school.

17 d. The A student enrolled in a public school may appeal  
18 to the school board the decision of a school district  
19 administrator to deny certification. A student enrolled in an  
20 accredited nonpublic school may appeal the school's decision to  
21 deny certification as permitted by the authorities in charge of  
22 the accredited nonpublic school. The decision of the school  
23 board or authorities in charge of the accredited nonpublic  
24 school is final.

25 e. The driver's license shall not be issued for purposes  
26 of attending a public school in a school district other than  
27 either of the following:

28 a. (1) The district of residence of the parent or guardian  
29 of the student.

30 b. (2) A district which is contiguous to the district of  
31 residence of the parent or guardian of the student, if the  
32 student is enrolled in the public school which is not the  
33 school district of residence because of open enrollment under  
34 section 282.18 or as a result of an election by the student's  
35 district of residence to enter into one or more sharing

1 agreements pursuant to the procedures in [chapter 282](#).

2 f. The driver's license shall not be issued for purposes  
3 of attending an accredited nonpublic school if the driving  
4 distance between the school and the residence of the parent or  
5 guardian of the student is more than twenty-five miles.>

6 2. By renumbering as necessary.